

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL 2327
THIS DOCUMENT RELATES TO ALL CASES	JOSEPH R. GOODWIN U.S. DISTRICT JUDGE

**PLAINTIFF'S OBJECTIONS TO CROSS NOTICE OF VIDEO DEPOSITION OF TIM
SCHMID**

Plaintiffs object to Ethicon, Inc., and Johnson & Johnson's Cross Notice to Take Video Deposition of Tim Schmid as follows:

1.

Plaintiffs object to the Cross Notice to Take Video Deposition of Tim Schmid as it violates Federal Rule of Civil Procedure 30(b)(1), which requires reasonable notice to every other party. Plaintiffs received the Cross Notice less than three days prior to the scheduled deposition, which is insufficient time for a representative from the MDL to prepare for and travel to the deposition location in Morristown, New Jersey.

2.

Plaintiffs object to the Cross Notice to Take Video Deposition of Tim Schmid as it is a case specific deposition ordered by Judge Ken Molberg of the 95th Judicial District in Dallas County Texas to discover case specific issues in the *Carol Cavness v. Kowalczyk, et al.*, matter. Counsel for Carol Cavness has indicated that they will need substantially all the time ordered by Judge Molberg to discover case specific issues in the *Cavness* matter, leaving insufficient

remaining time for Plaintiffs MDL counsel to conduct a meaningful examination of the deponent, even if a representative were to be able to prepare, travel, and attend on the date cross-noticed by Ethicon, Inc., and Johnson & Johnson.

This 30th day of July, 2015.

PLAINTIFFS' CO-LEAD COUNSEL

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